

**[PROPOSED] Rule 5001-2**

**CLERK'S OFFICE LOCATION, HOURS AND PROCEDURES FOR  
EMERGENCY OR TIME SENSITIVE FILINGS**

(a) ***Locations.*** The Clerk's offices, located in Tampa, Jacksonville and Orlando, are open to the public during times posted on the Court's website at: <http://www.flmb.uscourts.gov/locations/>. Access to CM/ECF is generally available 24 hours a day, 7 days a week. If CM/ECF is inaccessible, an Electronic Filing User's system is inoperable, or an emergency warrants use of the system to meet a filing deadline, the Court will permit the afterhours filing of paper documents by facsimile. Non-Electronic Filing Users are also permitted to file paper documents by facsimile after hours to meet filing deadlines.

(b) ***Faxing First Page and Signature Page.*** The first page and the signature page of petitions and other papers must be received by facsimile after 4:00 p.m. Eastern Standard Time and before 12:00 midnight Eastern Standard Time. Only the first page and the signature page of the document should be transmitted to the Court by facsimile.

(c) ***Where to Fax Documents.*** The pages must be transmitted to the division assigned to handle the case. The facsimile machine telephone numbers can be found through the Court's website located at <http://www.flmb.uscourts.gov/procedures/documents/afterhoursfiling>.

(d) ***Untimely Filed Documents Discarded.*** Any paper document received by facsimile between the hours of 12:00 midnight and 4:00 p.m. will be discarded by the Clerk's Office.

(e) ***Requirement to Timely File Original Document.*** The original document together with any required fee must be received and time stamped by the Office of the Clerk of the Court in the division in which it is assigned no later than noon (12:00 p.m.) Eastern Standard Time on the Court's next business day.

(f) ***Clerk's Official Stamp.*** Upon receipt of the original document and any required fee, the Clerk will stamp the following notation on the document:

This document is deemed filed on \_\_\_\_\_ pursuant  
Local Rule 5001-2 governing after-hours filing.

(g) ***Untimely Documents of No Force or Effect.*** If the original document is not timely received, the Clerk will note that fact and the facsimile will have no force or effect.

(h) ***Case Number Assignment.*** The Clerk's Office will not assign a case number to a bankruptcy petition or an adversary number to an adversary complaint until

the original document is filed with the Court. The Clerk shall not acknowledge the filing of the document to any creditor or other party until the original is filed.

(i) ***Date and Time Filed.*** Documents filed in accordance with the above procedures will be deemed filed on the date and at the time printed on the document by the facsimile machine in the Office of the Clerk of Court in the Division in which the document is filed.

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***Notes of Advisory Committee***

***2011***

This rule incorporates former Local Rule 5001-1 Unavailability of Electronic Filing System (abrogated) and archived Administrative Order FLMB-2003-2 Procedures for After Hours Filing. The addition of headings and subheadings is intended to be a stylistic rather than substantive change.